

Remarks

This Amendment follows a recent telephone interview and accompanies a Request for Continued Examination. It offers clarifying amendments to claims 1, 4, 10 & 13 which do not necessitate a new search, and cancels claims 11 and 12. Claims 18 & 19 are newly presented for added specificity without introducing new matter. Support lies in the Specification at 1:14-15 and 2:10.

For the record, a proposed Amendment labeled "Discussion Draft" was filed on May 6, 2008. That document was not entered, and did not result in a further interview. A copy of the May 6 transmittal is attached. The propriety of the last Office Action being "final" is therefore respectfully questioned.

The remarks made in the Amendment filed on January 31, 2008 are incorporated herein by reference. The Examiner is respectfully asked to reconsider those remarks which, for brevity, will not be repeated here.

Claim 1 has been amended to clarify that "the disc shaped mounting element . . . [has] . . . a back surface that engages a front surface of the wall such that the mounting element and the front surface of the wall may exert frictional forces therebetween in a plane that is parallel to the front surface"

Siler discloses an apparatus for attaching juxtaposed members. It lacks "a generally disc shaped mounting element" that includes "an engagement zone . . . that receives a hanging support attached to [[an]] object [to be mounted thereon]" Siler explains that Figure XII depicts an insert to be introduced in its entirety in the opening adapted to receive it, "there being external threads on the adaptor and companion internal threads in the opening." '443 Patent, 3:27-31. Unlike the claimed invention, Siler's body 86 is vertical. *Id.*, Col. 7, line 9.

In contrast, the claimed invention calls for vertical displacement of the circumferentially extending engagement zone on the mounting element so that, for example, a wire or saw tooth mounting device that is attached to an object to be mounted may be received and translated upwardly or downwardly depending on eccentric positioning of the disk shaped mounting element by the fastener.

Further, as suggested in Figure I, the '443 Patent discloses an apparatus which requires access to a front and a back surface of the members 10, 11 (Figure 1). This is in contrast to the claimed invention which requires access only from a front surface of a wall.

Applicant's earlier observation that the claimed groove does not read upon Siler's threads is specifically incorporated herein by reference such that it cannot be said that the invention as claimed lacks novelty in light of Siler '443.

In light of this amended language and for reasons stated above and in the January 31 Amendment, claim 1 is not disclosed nor rendered obvious by U.S. Patent 3,006,443 to Siler.

Claims 9 & 10 were rejected under § 103. They depend from claim 1 and rise or fall therewith.


The allowance of claims 13-17 is appreciated. Claims 4-8 were merely objected to, but should be allowed in light of their dependence on claim 1 as amended.

New claims 18 and 19 rise or fall with claim 1.

A Notice of Allowability is earnestly solicited. If any matters remain, the Examiner is asked to telephone the undersigned so that an interview can occur before an office action is prepared.

Respectfully submitted,

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